

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

REIDIE JACKSON, PRO SE,
also known as REIDIE JAMES JACKSON,
TDCJ-CID No. 1164177,
Previous TDCJ-CID No. 795456,
Previous TDCJ-CID No. 874760,

Plaintiff,

V.

2:14-CV-0035

MATTHEW SNEAD, C.O.,
BARRY MARTIN, Senior Warden, and
RAMON LONG, Sgt.,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiff REIDIE JACKSON, acting pro se and while a prisoner confined in the Texas Department of Criminal Justices, Correctional Institutions Division, has filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-referenced defendants and has been granted permission to proceed in forma pauperis.

On April 24, 2014, a Report and Recommendation was issued by the United States Magistrate Judge recommending that, with the exception of plaintiff's August 14, 2013 excessive force claims against defendant SNEAD, the Civil Rights Complaint filed pursuant to

Title 42, United States Code, section 1983, by plaintiff REIDIE JACKSON be dismissed with prejudice as frivolous and for failure to state a claim on which relief can be granted.

Plaintiff was instructed he could either file his objections or an amended complaint curing any pleading deficiencies identified within the period for objection. Plaintiff elected to file an amended complaint.

The Court has reviewed plaintiff's Amended Complaint and finds the analysis of plaintiff's claims set forth in the April 24, 2014 Report and Recommendation retains its validity.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation, as well as plaintiff's Amended Complaint. The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.


IT IS THEREFORE ORDERED that, with the exception of plaintiff's August 14, 2013 excessive force claims against defendant SNEAD, the claims asserted in plaintiff's Civil Rights Complaint filed pursuant to Title 42, United States Code, section 1983, by plaintiff REIDIE JACKSON are DISMISSED WITH PREJUDICE AS FRIVOLOUS AND FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this Order to plaintiff and to any attorney of record. The Clerk shall also mail copies of this order to TDCJ-Office of the General Counsel, P.O. Box 13084, Austin, TX 78711; and to the Pro Se Clerk at the U.S. District Court for the Eastern District of Texas, Tyler Division.

It is SO ORDERED.

Signed this the 13th day of May, 2014.



MARY LOU ROBINSON
United States District Judge